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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10/612,256
	Filing Date	07/01/2003
	First Named Inventor	Iannacone, Charles
	Art Unit	3723
	Examiner Name	Smith, James G.
Total Number of Pages in This Submission	Attorney Docket Number	IANN-0846

ENCLOSURES (check all that apply)		
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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Kenneth C. Booth of Schmeiser Olsen & Watts, LLP
Signature	
Date	October 15, 2004

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:			
Typed or printed name	Heather Clark		
Signature		Date	October 15, 2004

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Docket No. IANN-0846

**IN THE UNITED STATES PATENT AND  
TRADEMARK OFFICE**  
*AMENDMENT*

Applicant: Iannacone, Charles      Docket No.: IANN-0846  
Serial No.: 10/612,256      Group Art Unit: 3723  
Filed: 07/01/2003      Examiner: Smith, James G.  
TITLE: CARPET TUCKER AND TRIMMER

Mail Stop Amendment  
Commissioner of Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In the Restriction Requirement mailed September 24, 2004, the Examiner stated that the application contains claims directed to two distinct Groups of inventions, Group I includes claims 1-22, drawn to a combination tucking and cutting tool, classified in class 7, subclass 103; and Group II includes claims 23-28, drawn to a blade, classified in class 30, subclass 346.61.

The Examiner also advised that the application contains claims directed to five distinct Species within Group I, namely, figure 1A and 2-3; figure 1B; figure 4; figures 5A and 9A; and figures 5B and 9B. The Examiner required the Applicant to elect a single disclosed species for prosecution on the merits if applicant elected Group I.

I HEREBY CERTIFY THAT THE CORRESPONDENCE TO WHICH THIS STATEMENT IS AFFIXED IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE, POSTAGE PAID, AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO MAIL STOP AMENDMENT, COMMISSIONER OF PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450,

ON: October 15, 2004

SIGNED: Heather Clark

Heather Clark

Applicant hereby elect for prosecution on the merits Group I, which includes claims 1-22, drawn to a combination tucking and cutting tool, classified in class 7, subclass 103 and the species including figures 5B and 9B. Applicant also notes that the species of figure 1B, as explained in the specification (see page 17, line 15 to page 18, line 14 and page 19, line 24 to page 20, line 11), includes nearly all of the elements of figures 5B and 9B, and that the pending claims that reflect figures 5B and 9B also nearly all reflect figure 1B. Nevertheless, the claims reciting the elements described with reference to figures 5B and 9B include claims 1-12 (at least one wheel, blade and trailing guide) and claims 13-22 (at least one wheel, blade in recess, rotation restriction on blade and moveable pin).

Applicant requests that claims 23-28 be canceled so that Applicant may file them in a later divisional application.

If any fees, including extension of time fees, are due as a result of this response, please charge Deposit Account No. 19-0513. This authorization is intended to act as a constructive petition for an extension of time, should an extension of time be needed as a result of this response. The Examiner is invited to telephone the undersigned if this would in anyway advance the prosecution of this case.

Respectfully submitted,

Date: October 15, 2004

By Kenneth C. Booth  
Kenneth C. Booth  
Reg. No. 42,342

**SCHMEISER, OLSEN & WATTS LLP**  
18 East University Drive, #101  
Mesa, AZ 85201  
(480) 655-0073